

Appl. No. 10/648,467  
Amdt. dated July 29, 2005  
Reply to Office Action of June 1, 2005

### REMARKS

Applicants have carefully reviewed the Office Action mailed June 1, 2005. Favorable reconsideration is respectfully requested in light of the above amendments and the following comments. Claims 1 and 11 have been amended to more particularly describe the invention by including the limitations of claim 2 and 12, respectively, which have subsequently been canceled. Claim 3 has been amended to update its dependency. New claims 16 and 17 represent claims 14 and 15 rewritten in independent form. Applicants thank the Examiner for the indication of allowability of claims 14 and 15 if rewritten in independent form, encompassing the limitations of any intervening claims. No new matter has been added as a result of these amendments.

Applicants respectfully traverse the Examiner's rejection of claims 1, 4-6, 10 and 11 under 35 U.S.C. §102(b) as anticipated by Duhamel et al., U.S. Patent No. 5,541,585. In order to anticipate, the cited reference must disclose each and every claimed element. Duhamel et al. fail to do so.

In particular, Duhamel et al. fail to disclose the limitations originally found in claims 2 and 12. As claims 1 and 11 have been amended to include these limitations, the anticipation rejection is rendered moot. Favorable reconsideration is respectfully requested.

It should be noted, of course, that claims 2 and 12 have been rejected as unpatentable over Duhamel et al. This rejection appears to be based on an incomplete reading of the subject claims. As filed (and as now recited in claims 1 and 11), claims 2 and 12 read, in part:

the light control unit includes a selecting device for selecting one of an enablement mode, which enables the activation of the lighting device, and a disablement mode, which disables the activation of the lighting device, the light control unit activating the lighting device if the verification subject information matches the verification reference information (emphasis added) when the selecting device selects the enablement mode.

According to the Office Action, the Examiner has asserted that Duhamel et al. describe a photocell 20 that has an enablement mode and a disablement mode, as the courtesy light disclosed by Duhamel et al. is not turned on if there is already sufficient ambient light. While Applicants do not concede whether or not Duhamel et al. disclose a light control unit having an enablement mode and a disablement mode, a significant claimed element is not disclosed or suggested by Duhamel et al.

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In particular, it can be seen in the underlined text above that the claimed light control unit activates the lighting device if the verification subject information matches the verification reference information. Clearly, the claimed light control unit activates the claimed lighting device only if appropriate verification information is received from the portable unit. Duhamet al. are silent as to this feature.

While Duhamet al. disclose activating a courtesy light 20 when a presence is detected (see, for example, column 2, lines 32-34 and column 5, lines 24-28 of the reference), Duhamet al. are silent as to activating a light only if an appropriate individual approaches. Indeed, with respect to lighting, Duhamet al. do not teach much beyond a motion sensor-equipped light having a photocell to avoid activation during daylight hours.

Duhamet al. fail to describe or disclose the claimed light control unit. As an obviousness rejection requires that the reference, modified as suggested by the Examiner, must disclose each and every claimed element, it is apparent that the *prima facie* obviousness rejection is flawed and should be withdrawn. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 2, 3 and 12 under 35 U.S.C. §103(a) as unpatentable over Duhamet al., U.S. Patent No. 5,541,585. As noted above, claims 1 and 11 have been amended to include the limitations of claims 2 and 12, which have subsequently been canceled. Claim 3 remains subject to this rejection. However, as claim 3 depends from claim 1, and as claim 1 has been shown to be patentable over Duhamet al., the rejection is flawed and should be withdrawn. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 1-13 under 35 U.S.C. §103(a) as unpatentable over Hu, U.S. Publication No. 2003/0112122, in view of Duhamet al., U.S. Patent No. 5,541,585. The Examiner relies upon Duhamet al. to disclose, among other elements, the claimed light control unit. Applicants have demonstrated above that Duhamet al. fail to describe the claimed light control unit, and thus Duhamet al. cannot be considered as remedying the admitted (by the Examiner) shortcomings of Hu. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of

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Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By their Attorney,

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